REMARKS

The Office Action dated July 27, 2005 has been carefully reviewed and the foregoing amendment and following remarks have been made in consequence thereof.

Claims 4, 5, 7-12, 16, 17, 19-21, and 25 are pending in this application after entry of this Amendment. Claims 1-26 stand rejected. Claims 1-3, 6, 13-15, 18, 22-24, and 26 have been canceled.

Claims 4, 16, and 25 have been redrafted as independent claims, incorporating the features recited in the respective base claims and all intermediate claims, without unnecessary redundancy.

Applicant believes that there are no fees needed at this time. However, a fee calculation sheet is provided with a conditional authorization to charge the referenced deposit account any necessary fees.

The rejection of Claims 3, 6, 15, 18, 24, and 26 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 and 3 of Toth, (U.S. Patent No. 6,115,487) in view of Snyder et al. (U.S. Patent No. 5,923,775) is respectfully traversed.

Claims 3, 6, 15, 18, 24, and 26 have been cancelled.

Therefore, it is requested that the rejection of Claims 3, 6, 15, 18, 24, and 26 over Toth and Snyder et al. be withdrawn.

The rejection of Claims 1, 2, 5, 7, 10-14, 17, and, 20-23 under 35 U.S.C. § 103(a) as being unpatentable over Mattson et al. (U.S. Patent No. 5,229,934) in view of Snyder et al. (U.S. Patent No. 5,078,605) and Labaere et al. (U.S. Patent No. 5,717,791) is respectfully traversed.

This rejection no longer applies to Claims 1, 2, 13, 14, 22, and 23, which have been cancelled.

Claims 5, 7, 10, 11, 12, 17, 20, and 21 are now dependent, directly or indirectly, upon either Claim 4, Claim 16, or Claim 25. Claims 4, 16, and 25, by the Office's admission, contain features not taught or suggested by Mattson et al. in view of Snyder et al. and Labaere et al. Therefore, when the recitations of Claims 5, 7, 10, 11, 12, 17, 20, and 21 are considered in conjunction with the recitations of either Claim 4, Claim 16, or Claim 25, as appropriate, it is submitted that Claims 5, 7, 10, 11, 12, 17, 20, and 21 are patentable over the combination of Mattson et al. in view of Synder et al. and Labaere et al.

The patentability of Claims 4, 16, and 25 is also addressed elsewhere in this response.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1, 2, 5, 7, 10-14, 17, and, 20-23 over Mattson et al. in view of Snyder et al. and Labaere et al. be withdrawn.

The rejection of Claims 3, 6, 8, 15, 24, and 26 under 35 U.S.C. § 103(a) as being unpatentable over Mattson et al. (U.S. Patent No. 5,229,934) in view of Snyder et al. (U.S. Patent No. 5,078,605) and Labaere et al., and further in view of Toth (U.S. Patent No. 6,115,487) is respectfully traversed.

This rejection no longer applies to Claims 3, 6, 15, 24, or 26, which have been cancelled.

Claim 8 is now directly dependent upon Claim 4. Mattson et al., Snyder et al., Labaere et al., and Toth together, by the Office's own admission, do not teach or suggest the features recited in Claim 4. Therefore, it is submitted that, when the recitations of Claim 8 are considered in combination with the recitations of Claim 4, Claim 8 is likewise patentable over Mattson et al., in view of Snyder et al., Labaere et al., and Toth.

The patentability of Claim 4 is also addressed elsewhere in this response.

For the above reasons, Applicants respectfully request that that the section 103 rejection of Claims 3, 6, 8, 15, 24, and 26 over Mattson et al. in view of Snyder et al. and Labaere et al., and further in view of Toth be withdrawn..

The rejection of Claims 4, 16, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Mattson et al. in view of Snyder et al. and Labaere et al., and further in view of Toth, and still further in view of Florent et al. (U.S. Patent No. 5,594,845) is respectfully traversed.

The Office has admitted that Mattson et al., Snyder et al., Labaere et al., and Toth do not teach that the scaling of the error projection was based on the projection view angle, center view angle, pitch and size of the detector array. However, the Office has asserted that Florent et al. teaches an imaging processing method where scaling is based upon the panning angle, the center angle, the tilting angle, and the size, and has interpreted the scaling on the number of pixels in the target array as equivalent to Applicant's use of detector array size.

However, as best understood by Applicants, the method described by Florent et al. is performed on actual images. Thus, the invention is said to relate "... to a method of processing a digital *image* in order to construct, by means of a *geometrical perspective transformation applied to an image termed the source image,* a recalculated image, termed the target image, which *represents the source image* reconstructed with modifications of the tilting angle and of the panning angle, and possibly of the scale factor in relation to the *source image.*" See col. 1, lines 9-15/ Moreover, the "... invention finds its application in the construction of surveillance systems comprising a certain number of fixed cameras arranged in such a way that their individual fields of view blend to form a wide-angle field of view, for observing a panoramic scene." Col. 1, lines 18-22. Furthermore, a "Digital image is understood to mean an image formed from pixels each assigned a luminance level Q." Col. 5, lines 19-20. Also, "[r]econstruction of the target image is based on the fact that the corrsponding points M in the source image and M* in the target image are image points of a same object point μ in three-dimensional space." Col. 8, lines 16-29.

By contrast, Applicant's Claim 4 recites "... scaling the error-candidate *projection* with an error fraction..." Claims 16 and 25 recite a similar feature. See Applicants' Figure 3. See also paragraph [0016]. Even assuming, *arguendo*, that a projection might be considered as a sort of "image," it bears little relationship to the images processed by the method taught by Florent et al., and there is nothing in any cited reference to suggest to one of ordinary skill in the art that the method taught by Florent et al. is applicable to a "projection," which, by implication, is data used in a further reconstruction to produce an image oriented at a right

angle to the plane of projection. Although Florent et al. uses the word "reconstruction," it is clear that Florent et al.'s "reconstruction" of an image is a substantially different type of reconstruction, and, despite the Office's assertions regarding motivation, one of ordinary skill in the art would not be motivated to combine the data processing of Florent et al. with the other references in the manner suggested by the Office to arrive at Appicants' invention.. Thus, it is submitted that Claims 4, 16, and 25 are patentable over Mattson et al. in view of Snyder et al. and Labaere et al., and further in view of Toth, and still further in view of Florent et al.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 4, 16, and 25 over Mattson et al. in view of Snyder et al. and Labaere et al., and further in view of Toth, and still further in view of Florent et al. be withdrawn.

The rejection of Claims 9 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Mattson et al. in view of Snyder et al. and Labaere et al., and further in view of Moore et al. (U.S. Patent No. 4,222,104) is respectfully traversed.

The Office admits that Mattson et al. in view of Snyder et al. and Labaere et al. do not show or suggest the features recited in Claim 4 or in Claim 16. Moore et al. discusses errors of a particular sort, see col. 1, lines 35-64 and col. 3, line 46 to col. 4, line 7. In particular, Moore et al. adds nothing to the combination of Mattson et al., Snyder et al., and Labaere et al. to teach or suggest scaling an error-candidate projection with an error fraction.

By contrast, Claims 4 and 16 each recite "... scaling an error-candidate projection with an error fraction...", which is neither taught nor suggested by the combination of the combination of Mattson et al., Snyder et al., Labaere et al. and Moore et al. Therefore, it is submitted that Claims 4 and 16 are patentable over this combination.

Claim 9 is directly dependent upon Claim 4. When the recitations of Claim 9 are considered in combination with the recitations of Claim 4, it is submitted that Claim 9 is likewise patentable over the combination of Mattson et al., Snyder et al., Labaere et al. and Moore et al.

Claim 19 is indirectly dependent upon Claim 16. When the recitations of Claim 19 are considered in combination with the recitations of Claim 16, it is submitted that Claim 19 is likewise patentable over the combination of Mattson et al., Snyder et al., Labaere et al. and Moore et al.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 9 and 19 over the combination of Mattson et al., Snyder et al., Labaere et al. and Moore et al. be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

Alan L. Cassel
Registration No. 35,842
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070